

DAVID MOTON

No. C 07-1483 SI

v.
Plaintiff,

**ORDER TO SHOW CAUSE
RE FAILURE TO APPEAR AND
FAILURE TO SERVE SUMMONS
AND COMPLAINT**

HANJIN SHIPPING, J.P. SAMARTZIS MARITIME ENTERPRISES CO. S.A.,

Defendants.

This matter was scheduled for an Initial Case Management Conference on June 22, 2007. On June 13, 2007, plaintiff's counsel requested a 60 day extension of the conference, in order to effect service on defendant J.P. Samartzis Maritime Enterprises Co., S.A. and put the matter "at issue." By order dated June 18, 2007, the Court granted an almost 90 day extension of the Case Management Conference, to September 14, 2007. However, no one appeared at the September 14, 2007 conference, nor has plaintiff's counsel filed a proof of service of summons and complaint on defendant J. P. Samartzis, or otherwise communicated with the Court concerning this matter.

Accordingly, plaintiff is hereby **ORDERED to show cause, in writing filed with the Court no later than September 24, 2007**, why he failed to appear, why he failed to serve defendant Smartzis within the 120 day time frame set out in F.R.Civ.P. 4(m), and why this action should not be dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: September 14, 2007

Susan Illston
SUSAN ILLSTON
United States District Judge